12-12020-mg Doc 7847-34 Filed 12/09/14 Entered 12/09/14 17:48:56 Exhibit 30 to Delehey Decl Pg 1 of 5

Exhibit 30

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# ReedSmith

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September 18, 2013

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### VIA FIRST CLASS U.S. MAIL

Ms. Marcia M. Waldron Clerk for the United States Court of Appeals for the Third Circuit 21400 United States Courthouse 601 Market Street Philadelphia, PA 19106-1790

RE: Kenneth Taggart v. GMAC Mortgage, LLC, et al.

Case Number: 2013-3781

District Case Number: 2-12-cv-00415

Dear Ms. Waldron:

Reed Smith LLP represents GMAC Mortgage, LLC ("GMACM") in connection with this matter. Pursuant to your case opening correspondence dated September 17, 2013, please be advised that GMACM will not be participating in this appeal because the underlying litigation has been stayed as to GMACM. The enclosed Notice of Bankruptcy and Effect of the Automatic Stay was filed last year in the District Court. The bankruptcy proceedings are ongoing, and the automatic stay has not been lifted for this matter.

If you should require additional information, please do not hesitate to contact us.

Very truly yours.

Maria T. Guerin

MTG/bas Enclosure

cc: Matthew B. Weisberg, Esq. (with encl.)

Robert J. Birch, Esq. (with encl.) Susan D. Bricklin, Esq. (with encl.) 12-<u>429201</u>190378<u>1</u>0c <u>7847</u>1746nt Fileg 112/995754 Entergel: 12/09/14 4 File 1569/25 12/09/14 6 File 1569/25 12/09

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#### UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

No. 2:12-cv-00415

Kenneth J. Taggart,	:
Plaintiff,	:
v.	:
GMAC Mortgage, LLC, et al.	:
Defendants.	:

## NOTICE OF BANKRUPTCY AND EFFECT OF AUTOMATIC STAY

Defendant GMAC Mortgage, LLC ("GMAC" or "Debtor"), by and through its undersigned counsel, in accordance and consistent with section 362(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code"), respectfully submits this Notice of Bankruptcy and Effect of Automatic Stay, and states as follows:

- 1. On May 14, 2012 ("Petition Date"), the Debtor and certain of its affiliates filed voluntary petitions ("Petitions") under Chapter 11 of Title 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York ("Bankruptcy Court"). The Debtor's case is jointly administered under the Chapter 11 Case for Debtor Residential Capital, LLC, et al., and is indexed as case number 12-12020.
- 2. The "automatic stay" is codified in section 362 of the Bankruptcy Code. Section 362(a), *inter alia*, imposes an automatic stay of: (i) the commencement or continuation of a "judicial, administrative, or other action or proceeding" against the Debtors (11 U.S.C. § 362(a)(1)); (ii) acts to "obtain possession of property" of the Debtors' estates (11 U.S.C. § 362(a)(3)); and (iii) acts to "collect, assess, or recover a claim" against the Debtors arising prior to the Petition Date (11 U.S.C. § 362(a)(6)).

3. The above-captioned action constitutes a "judicial, administrative, or other action

or proceeding" against the Debtor, an act to obtain possession of the Debtor's property, and/or an

act to collect or recover on a claim against the Debtor.

4. Accordingly, the above-captioned lawsuit and claims filed against GMAC must

be stayed as to the Debtor pursuant to 11 U.S.C. § 362(a).

5. Any action taken by the Plaintiff against the Debtor without obtaining relief from

the automatic stay from the Bankruptcy Court may be void ab initio and may result in finding of

contempt against Plaintiff by the Bankruptcy Court. The Debtor reserves and retains all of its

statutory rights to seek relief in Bankruptcy Court from any action, judgment, order, or ruling

entered in violation of the Automatic Stay.

Respectfully submitted,

By: /s/ Maria T. Guerin

Diane Bettino (PA ID 64111) Maria T. Guerin (PA ID 207378)

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REED SMITH LLP

2500 One Liberty Place 1650 Market Street

Philadelphia, PA 19103

Attorneys for Defendant

GMAC Mortgage, LLC

May 25, 2012

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#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing NOTICE OF

BANKRUPTCY AND EFFECT OF AUTOMATIC STAY has been filed electronically this 25<sup>th</sup>
day of May, 2012, and the following party/counsel of record will be notified by the Court's ECF
system and Regular U.S. Mail.

Kenneth Taggart 46 Heron Road Heron, PA 18966 Plaintiff, Pro Se

and

Susan Dein Bricklin, Esq.
U.S. Attorney's Office
615 Chestnut Street
Suite 1250
Philadelphia, PA 19106
Counsel for Federal Government Defendants

/s/ Maria T. Guerin
Maria T. Guerin